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there is no contradiction or anti-climax in the fact that he later threw down his scepter.

P. 168, Professor Bethe argues that in the older account of the wounding of Diomede that hero could have had no chariot, because in the old stratum neither Ajax nor Odysseus had a chariot, ("weil in dem alten Gedicht weder Aias noch Odysseus einen Wagen haben"). This is only half a truth, since in no part of the *Iliad* or *Odyssey* does either of these heroes have a chariot. It is a fine proof of the unity of Homeric descriptions that these two warriors from small islands should in all parts of the *Iliad* be without horses or chariots.

It is impossible to discuss in more detail this learned and suggestive book, but it seems to me that the author has found contradictions where none exist and that he has rather forced the *Iliad* to suit his theory than his theory to suit the *Iliad*.

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Imperium Romanum: Studien zur Entwicklungsgeschichte des römischen Reichs, I: Die Staatsverträge und Vertragsverhältnisse.

By EUGEN TÄUBLER. Leipzig and Berlin: Teubner, 1913. Pp. ix+458.

This volume is a study of the form and content of treaties contracted by Rome during the period of the Republic. The first chapter deals with their classification. The chief principle of grouping is involved in the question whether or not one of the contracting states loses its independence through the agreement. On this basis the treaty of surrender—*Deditiovertrag*—stands out distinctly from every other as the form through which the surrendering state destroys its own legal existence (for the formula, see Livy i. 38). It includes two reciprocal acts, *dare in dicionem* and *accipere*. From the very nature of the case the surrender is unconditional; legally the *deditus* is the same as the *captivus*. In early times, however, there developed a formula, *dedere in fidem*, in which the surrendering party appealed to the mercy of the conqueror, and a condition of fidelity took the place of the unmitigated right of the master. The usual effect was to bring the surrendered into the circle of citizenship—exceptionally the full citizenship or patriciate, generally the limited citizenship or plebitate. Here the reader discovers that, however thoroughly the author may have mastered his peculiar field, he clings with unruffled trust to Mommsen's obsolete conception of the early Roman state and society. Although not the slightest evidence has ever been found to invalidate the judgment of ancient writers on early Roman history that the patricians and plebeians were merely the nobles and commons, and although historians are now generally recognizing this fact, there will doubtless be some who will continue till Doomsday to repeat parrot-like the definition proposed by Mommsen. The reviewer

refers to this matter here because of its bearing on Rome's foreign policy. If our sources are right in their conception of the social classes, and if, as they state, Rome under the kings generally granted her citizenship to the mass of conquered while bestowing the patriciate upon the leading citizens of the incorporated state, she was far more liberal than Mommsen and Täubler assume, in fact as liberal as any state with social distinctions could possibly be.

As the earliest example of a "community with half-citizenship"—*Halbburggemeinde*—resulting from a "dedition treaty," the author mentions Tusculum, 381 B.C. (p. 23). In this opinion he prefers to follow Mommsen, "supported by Festus, p. 127 M," in opposition to other sources. Among modern writers who hold the contrary opinion he mentions as the last Beloch, *Der italische Bund* (1880), p. 120. The author seems to be unaware that many authorities since Beloch have touched upon this question, most of whom have preferred to go on record with the opposition; see, for example, De Sanctis, *Storia dei Romani* (1907), II, p. 243, and, published after Täubler's essay appeared, Frank, *Roman Imperialism* (1914), p. 34. Moreover, the source on which Täubler relies is not Festus, and not even Paulus Diaconus, but as Müller, *ed. cit.*, p. 127, n. 1. (citing Niebuhr), explains, a grammarian of the tenth or eleventh century, to supply a lacuna caused by a fire. There exists accordingly no appreciable authority for the author's opinion. The fact, too, that the Roman annalists shaped their material to the glory of their country might warrant a doubt as to their statement that the arrangement between Rome and Tusculum was a *deditio*. From such considerations the reader will perhaps be inclined to suspect that Täubler in his devotion to the legal study of treaties has neglected their historical relations, and has not examined the more recent historical literature, or approached his sources in a sufficiently critical spirit.

Along with others who treat of early Rome from a purely legal point of view, Täubler assumes that from the very beginning the Romans were thoroughly equipped jurists. In objection to this standpoint we may urge that, however given to formalism, the Romans could not possibly have had in the fifth century B.C., while as yet devoid of education, so clear a conception of citizenship as they afterward acquired. The treaty with Gabii, belonging possibly to the later years of the sixth century, granted to each contracting party the enjoyment of all citizen rights in the other (Dionysius iv. 57. 3). This close treaty relationship was evidently the beginning of the municipality; and probably no contemporary Roman would have been able to say precisely when the alliance gave way to citizenship pure and simple. It is clear, then, as well as in full accord with the early history of Roman citizenship, that the municipality with the right to vote preceded the form *sine suffragio*.

The second form of treaty discussed by the author is the truce—*indutiae*, *Waffenstillstandsvertrag*—which he divides into definitive and preliminary.

The former belongs only to early times, the last recorded case falling in the year 293 (Livy x. 46. 12). The circumstances and conditions of the two forms of truce are discussed at considerable length (pp. 31-44). The third class of treaties is described as "perpetual" (*ewig*), divided into "normal" and "special." The known normal treaties, literary and epigraphic, are enumerated and their forms discussed (pp. 44 ff.). A document of the kind includes four provisions succinctly enumerated by the author as follows; (1) friendship (and alliance), (2) by land and sea, (3) forever, (4) no war. Naturally the specifications of the four articles vary in phraseology and in detail. Among the normal treaties is that through which the alien state enters into clientage to Rome under the articles *maiestatem populi Romani conservanto* (pp. 62-66). Perpetual treaties which diverge in form from the normal are classed as "special." They fall into groups according to the specifications bearing upon (1) indemnities and hostages, (2) regulations of boundaries and of trade limits, the delivery of war material, of captives and deserters, or of enemies, (3) the protection of dependent, friendly, or allied territory. Examples for the illustration of perpetual treaties are taken from the half-century intervening between the end of the first Carthaginian war and the end of the war with Aetolia and Syria, the period in which "was founded that international relationship outside of Italy which was later transformed into the Roman empire" (p. 89).

Chap. ii discusses the part taken by the factors of the Roman government, magistrates, Senate, and Comitia respectively, in treaty-making. To the general reader the most interesting topic in it is the Caudine treaty (pp. 140 ff.). The third chapter is devoted to individual treaties (pp. 188-317). First among them are the treaties between Rome and Carthage. On the basis of a minute analysis of their specifications the author engages in the chronological battle in defense of Mommsen's view against Nissen. To those who accept Mommsen's theory that the first treaty fell in the year 348 B.C. Täubler's discussion may perhaps seem an absolute demonstration, whereas upon others it will have relatively little effect. The latter will still believe that Polybius had a fair reason for assigning the treaty, even though the document contained no date, to the beginning of the Republic, or at all events to a time long anterior to 348. It seems reasonable, too, that while the Carthaginians in the sixth century were making treaties with the Etruscans, they should enter into similar relations with Rome. Furthermore, the attempt of Täubler to force Campania and Samnium into the second treaty (p. 275) seems excessively strained. Notwithstanding the author's efforts, therefore, many will doubtless continue, along with such scholars as Ed. Meyer, and Frank (*Roman Imperialism*, pp. 17, 26), to accept the authority of Polybius.

The fourth chapter is entitled "Negotiation and Documenting"; the fifth, "Literary Tradition"; the sixth, "Origin of Treaties," in which the historical beginnings are considered; the seventh, "Historical Development."

After the various kinds of treaties had assumed their respective forms under Greek influence, there developed no new classes or new formulae, although there prevailed a tendency to simplification. Historical changes affected chiefly the range of their application, corresponding with the extension of Rome's relations with Italy, Carthage, and Greece. The peace of Antiochus (188 B.C.) was the acme of development of Rome's treaty relations; the document is the most comprehensive and the richest in content of all that have been preserved. It was of extreme importance, as it laid the foundation of the Roman Empire in the eastern Mediterranean.

The writer's treatment is strictly legal; it gives little attention to the relation of the various treaties with the general course of history. The highly technical character of the work will make it exceedingly difficult and unattractive to the general student; yet within the author's narrow though important field there can be no doubt that, in putting the subject for the first time on a thoroughly scientific basis, he has made a notable contribution to existing knowledge. Henceforth everyone who has to deal with Rome's foreign relations during the Republic must build on Täubler's foundations. It is his intention in a second volume to treat (Part I) of the elements of the empire and (Part II) of the process of formation. Before entering upon this part of his work the author ought to make himself more thoroughly at home in the historical material, in which at present, as suggested above, he seems to be almost a stranger.

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Annals of Caesar. By E. G. SIHLER. New York: G. E. Stechert & Co. Pp. 330. \$1.75.

C. Julius Caesar: Sein Leben nach den Quellen, kritisch dargestellt. By E. G. SIHLER. Leipzig: B. G. Teubner, 1912. Pp. 274. M. 6.

The second work is the author's German version of the English original. He has had the benefit, meanwhile, of H. Meusel's criticism which appeared in the *Wochenschrift für klassische Philologie*, 1911. In this review Mr. Meusel pointed out a number of inaccuracies, which the author has corrected and which it is therefore unnecessary to mention. Further inaccuracies were noted by A. T. Walker in the *Classical Journal*, VIII, 174.

The book opens with a chapter on Caesar's ancestry and early youth, up to his marriage in 83. Twenty-two pages are devoted to a political retrospect, which brings the account down to 81. From this point the relation is annalistic. The chief political events at Rome for each year are given with a detailed account of Caesar's activities. The year 69 is apparently omitted. The *Annals* are supplemented by a chapter on the "Writings